

Message Text

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ACTION ACDA-10

INFO OCT-01 EUR-12 EA-07 IO-13 ISO-00 AF-08 ARA-06 CIAE-00

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FM USMISSION GENEVA

TO SECSTATE WASHDC 1336

INFO AMEMBASSY BONN

AMEMBASSY LONDON

AMEMBASSY MOSCOW

AMEMBASSY OTTAWA

AMEMBASSY THE HAGUE

STOCKHOLM 1641

AMEMBASSY ROME

AMEMBASSY TOKYO

USMISSION USUN NEW YORK

USMISSION NATO BRUSSELS

USDEL SALT TWO GENEVA

ERDA HQQ WASHDC

ERDA GERMANTOWN

C O N F I D E N T I A L GENEVA 5825

E.O. 11652: N/A

TAGS: PARM CCD US UR

SUBJECT: CCD CONSULTATIONS ON ENMOD CONVENTION ARTICLES III,
IV AND V

1. US ALT REP STEARMAN AND DELOFF MET WITH NAZARKIN AND
KASHIRIN OF SOV DEL JULY 20 TO ASSESS STATUS OF
ARTICLES III, IV AND V OF ENMOD DRAFT.

2. ON ARTICLE III, NAZARKIN SAID SOME CONCESSION WOULD BE
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NEEDED TO SATISFY DELEGATIONS CALLING FOR INCLUSION OF

COMMITMENT TO COOPERATE IN PEACEFUL USES OF ENMOD. HE SAID SEVS, AT DEL LEVEL, WERE PREPARED TO RECOMMEND ACCEPTANCE OF ADDITIONAL PARAGRAPH BASED ON BWC LANGUAGE THAT WOULD BE LIMITED TO COOPERATION IN EXCHANGING INFORMATION. PRECISE LANGUAGE WAS NOT WORKED OUT BUT SOV DEL WOULD APPARENTLY BE WILLING TO SEEK MOSCOW APPROVAL FOR FORMULATION ALONG FOLLOWING LINES: "THE STATES PARTIES TO THIS CONVENTION UNDERTAKE TO FACILITATE, AND HAVE THE RIGHT TO PARTICIPATE IN, THE FULLEST POSSIBLE EXCHANGE OF SCIENTIFIC AND TECHNOLOGICAL INFORMATION ON THE USE OF ENVIRONMENTAL MODIFICATION TECHNIQUES FOR PEACEFUL PURPOSES." NAZARKIN SAID SOVS WOULD CONTINUE TO OPPOSE ANY COMMITMENT CONCERNING EXCHANGE OF EQUIPMENT OR MATERIALS. HE ALSO CONSIDERD YUGOSLAV PROPOSAL FOR UNDERTAKING ON PRIOR ANNOUNCEMENT AND PUBLICATION OF RESULTS OF ENMOD EXPERIMENTS "EXTREMIST". DELOFF NOTED THAT US INSTRUCTIONS ALREADY PERMITTED ACCEPTANCE OF PROVISION LIMITED TO FACILITATING EXCHANGE OF INFORMATION AND AGREED TO WORK OUT EXACT LANGUAGE THAT COULD BE OFFERED AS CONCESSION TO CRITICS AT OPPORTUNE MOMENT.

3. ON ARTICLE IV, NAZARKIN ASKED US VIEWS ON MONGOLIAN PROPOSAL ALONG LINES OF ADDING PHRASE "WHEN EVER NEEDED" TO ACCOMMODATE UNEXPECTEDLY STRONG CRITICISM OF THIS ARTICLE. DELOFF SAID HE THOUGHT THIS WAS A POSSIBLY USEFUL APPROACH TO PROBLEM SINCE IT CLARIFIES ARTICLE RATHER THAN CHANGES ITS SUBSTANCE, AND AGREED WITH NAZARKIN THAT IT WAS PREFERABLE TO PAKISTAN PROPOSAL ("STATES MAY UNDERTAKE ANY NECESSARY MEASURES"). SOVS HAD NO STRONG VIEWS ON ITALIAN PROPOSAL TO DELETE WORDS "TO MAKE ANY MEASURES" AND AGREED TO CONSIDER THIS IDEA AS WELL, WHILE EXPRESSING GENERAL PREFERENCE FOR MONGOLIAN APPROACH. IN ADDITION, NAZARKIN INDICATED THAT IF OPPOSITION CONTINUES TO ARTICLE IV, EVEN WITH SOME AMENDMENT, SOVS MIGHT NOT NECESSARILY INSIST ON RETAINING IT. MAIN SOV CONCERN, HE SAID, WAS FEAR THAT ABSENCE OF PROVISION WOULD BE REGARDED AS STEP BACKWARD FROM BWC, BUT HE RECOGNIZED THAT IN CONTEXT OF ENMOD CONVENTION ARTICLE AS DRAFTED HAD LITTLE, IF ANY, JURIDICAL VALUE.

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4. WITH RESPECT TO ARTICLE V, NAZARKIN SAID SOV WOULD INDICATE IN WORKING GROUP THEIR WILLINGNESS TO INCORPORATE IN THE TEXT THEIR IDEAS (AS SET OUT JUNE 22) ON RECOURSE TO INTERNATIONAL ORGANIZATIONS OR A COMMITTEE OF EXPERTS. NAZARKIN SAID SOVS WOULD OPPOSE DUTCH-SWEDISH PROPOSAL FOR A "CONSULTATIVE COMMISSION" ON GROUNDS IT WOULD BE A "POLITICAL BODY" WITH RESPONSIBILITIES EXTENDING FAR BEYOND REQUIREMENTS OF CONSULTATION AND COOPERATION.

5. SPECIFICALLY, NAZARKIN SUGGESTED SOVS COULD ACCEPT (SUBJECT TO MOSCOW APPROVAL) ADDITION OF THE FOLLOWING LANGUAGE TO PRESENT PARA 1: "THE INTERNATIONAL PROCEDURES REFERRED TO ABOVE MAY INCLUDE THE SERVICES OF APPROPRIATE INTERNATIONAL ORGANIZATIONS SUCH AS THE WMO AND THE UNEP OR OF A COMMITTEE OF EXPERTS OPEN TO ALL STATES PARTY, WHICH WILL BE ESTABLISHED FOLLOWING ENTRY INTO FORCE OF CONVENTION." NAZARKIN SAID SOVS WERE WILLING TO DEVELOP FOR THE RECORD AN UNDERSTANDING THAT THIS COMMITTEE OF EXPERTS WOULD BE CONVENED BY DEPOSITORY AFTER ENTRY INTO FORCE TO DEVELOP ORGANIZATION OF WORK AND PROCEDURES. HE DID NOT THINK THESE "PRACTICAL DETAILS" SHOULD BE SPELLED OUT IN CONVENTION TEXT ITSELF.

6. NAZARKIN EXPLAINED SOV VIEW THAT COMMITTEE OF EXPERTS COULD BE CONVENED AT REQUEST OF ANY STATE. EXPERTS WOULD STUDY FACTS OF CASE AND WOULD BE AUTHORIZED TO SEEK INFORMATION FROM OTHER STATES PARTY AS WELL AS INTERNATIONAL ORGANIZATIONS. EXPERTS WOULD REPORT FINDINGS, WHICH WOULD BE OF A SCIENTIFIC NATURE, TO STATES CONCERNED, AND PARTY THAT HAD REQUESTED MEETING COULD THEN DECIDE WHETHER OR NOT TO SEEK "POLITICAL DECISION" BY SECURITY COUNCIL.

7. DELOFF SAID US HAD GIVEN CONSIDERATION TO CONSULTATIVE COMMITTEE OF PARTIES ALONG SOMEWHAT DIFFERENT LINES BUT THAT SOV APPROACH DID NOT APPEAR INCOMPATIBLE WITH US VIEWS ON ARTICLE V. HE EXPRESSED SOME DOUBTS ABOUT ACCEPTABILITY OF VERY GENERAL FORMULA TO PROPONENTS OF MORE STRUCTURED SYSTEM BUT AGREED THAT THIS IDEA WAS WORTH PURSUING. NAZARKIN MADE NO EFFORT TO PRESS FOR ACTIVE US ROLE IN CONNECTION WITH THIS APPROACH.

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8. AT END OF DISCUSSION KASHIRIN ASKED IF US WAS PREPARED TO EXPLORE POSSIBILITY OF INCORPORATING DEFINITIONS OF "WIDESPREAD, LONG-LASTING OR SEVER" IN ANNEX TO THE CONVENTION. DELOFF SAID WE COULD EXPLORE THAT ON INFORMAL BASIS TO SEE IF AGREEMENT COULD BE REACHED ON PRECISE FORMULATIONS. KASHIRIN EXPRESSED SATISFACTION AND IMPLIED THAT US DEL SHOULD TAKE LEAD ON THIS SUBJECT.

9. IN FINAL EXCHANGE KASHIRIN CONFIRMED THAT SOV COULD ACCEPT THE UN SEC GEN AS DEPOSITORY BUT WOULD NOT PRESS FOR IT. THE TWO DELS AGREED TO CONTINUE THEIR CONTACTS AS NEED ARISES.

10. ACTION REQUESTED. DELEGATION REQUESTS GUIDANCE ON MONGOLIAN AND ITALIAN PROPOSALS FOR ARTICLE IV AND ON

POSSIBILITY OF AGREEING TO DELETION OF ARTICLE IF IT CONTINUES
TO BE OBJECT OF WIDESPREAD CRITICISM..DALE

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